

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

UNITED STATES OF AMERICA, :
 :
 :
 Plaintiff, :
 v. : Case No. 4:18-CR-00274-LGW-BWC
 :
 PABLO RANGEL-RUBIO (1), :
 JUAN RANGEL-RUBIO (2), and :
 HIGINIO PEREZ-BRAVO (3), :
 :
 Defendants. :

**DEFENDANT'S PEREZ-BRAVO'S SECOND SUPPLEMENT TO
PRELIMINARY AND PROTECTIVE MOTION TO DISMISS INDICTMENT
AND STAY PROCEEDINGS AND BRIEF IN SUPPORT THEREOF**

Counsel for Defendant Higinio Perez-Bravo, on behalf of Defendant Perez-Bravo and all Defendants in this case, hereby files this Second Supplement to Preliminary and Protective Motion to Dismiss Indictment and Stay Proceedings and Brief in Support Thereof, in order to add other additional facts and conclusions based upon new analysis by the Defendant's expert. The expert was provided with access to additional electronic files for his analysis pursuant to the Court's Order of April 16, 2021 (Doc. 432).

The new information and analysis is summarized by the Defendant's expert, Jeffrey Martin, in his Declaration which is attached hereto and made apart hereof. That Declaration outlines the various systematic factors which in combination result in the substantial underrepresentation of the African-American and Latino

communities during the jury selection process which led to the selection of the grand jury which returned the Indictment in this case. They are summarized in paragraphs 37 through 45 of the attached Declaration. The Declaration also outlines the statistical impact of these systematic factors. (Declaration, Paragraphs 46 through 50). Although the expert did not have access to the actual voter registration list from which the names of potential eligible jurors were picked, based upon his analysis of the jury selection processes in numerous other cases in Georgia, the underrepresentation of the African-American and Latino communities in the voter registration list is well documented.

Counsel hereby submits this additional information and analyses in support of his challenges to the selection procedures for grand jurors in this District. These facts and analyses will be incorporated and further explained in the testimony of Jeffrey Martin at the evidentiary hearing presently scheduled for June 17, 2021.

[signatures on next page]

This 3rd day of May, 2021.

Respectfully submitted,

s/John R. Martin

John R. Martin, Ga. Bar No. 473325

Martin Brothers, P.C.

1099 St. Louis Pl

Atlanta, GA 30306

404-433-7446

Email: jack@martinbroslaw.com

s/Bobby Phillips

Robert P. Phillips, Ga. Bar No. 576700

420 W. Broughton Street

Savannah, GA 31401

912-232-0081

Fax: 877-232-9070

Email: BPLaw@msn.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 3, 2021, I electronically filed an exact copy of the foregoing **Second Supplement to Preliminary and Protective Motion to Dismiss Indictment and Stay Proceedings and Brief in Support Thereof** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all parties of record.

This 3rd day of May, 2021.

s/John R. Martin

John R. Martin